



Docket No. 50875-F-PCT-US/JPW/SHS/MVM

In re application of: Graham P. Allaway et al.

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JAN 11 2001

TECH CENTER 1600/2900

Serial No.: 09/460,216

Filed: December 13, 1999

Art Unit: 1633

For: METHOD FOR PREVENTING HIV-1 INFECTION OF CD4+ CELLS

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

S I R:

January 3, 2001

Transmitted herewith is an amendment to the above-identified application.

_____ Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

_____ a verified statement to establish small entity status under 37 C.F.R. § 1.9 and § 1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE		FEE	
							SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	2	-	* 20	-	*** 0	x	9	18	0	0
Independent Claims	1	-	** 3	-	*** 0	x	40	80	0	0
Multiple Dependent Claims(s) Presented <u> </u> Yes <u> X </u> No							135	270	0	0
For First Time:										
							TOTAL ADDITIONAL \$			
							FEE			
							0			

- If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
- * If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
- ***If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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Amendment Transmittal Letter
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The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

____ Please charge Deposit Account No. _____
in the amount of \$ _____.

____ A check in the amount of \$ _____ is enclosed.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

X Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.


X Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

 1-3-01


John P. White Date
Reg. No. 28,678
Spencer H. Schneider
Reg. No. 45,923

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway, et al.

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For  METHOD FOR PREVENTING HIV-1 INFECTION OF CD4+ CELLS

1185 Avenue of the Americas
New York, New York 10036
January 3, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SECOND PRELIMINARY AMENDMENT

Please amend the subject application as follows:

In the claims:

Please cancel claims 62-64 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in a later-filed application. Please also amend claim 61 under the provisions of 37 C.F.R. § 1.121(a)(2) by deleting the bracketed material and inserting the underlined material and add new claim 65 as follows.

B1
--61. (2X Amended) A method of inhibiting HIV-1 infection of a CD4+ cell[s] which comprises contacting the CD4+ cell[s] with a [non-chemokine peptidyl] nonpeptidyl agent capable of binding to a chemokine receptor in an amount and under conditions such that fusion of HIV-1 or an HIV-1 infected cell to the CD4+ cell[s] is inhibited, so as to thereby inhibit HIV-1 infection of the CD4+ cell[s], provided that the [nonchemokine peptidyl] nonpeptidyl agent is not a bicyclam or a derivative thereof.--

B2
--65. (New) The method of ~~claim 61~~, wherein the chemokine receptor is a CCR5 ~~chemokine~~ receptor.--